

Revenue Distribution Training

December 2015



Presented by the
State Controller's Office
and the
Judicial Council of California

Training Agenda

Opening and Introduction

- Welcome by Curt Soderlund
- Faculty and staff contact info
- Housekeeping
- Training expectations and goals

Training Topics

- **State Controller's Office**
 - Urgency Legislation & Updates
 - New/Updated Legislation for Guidelines
 - TC-31 Submission
 - Listserv Notifications



Training Agenda

Training Topics

- **Judicial Council**
 - *Proposed* Uniform Bail and Penalty Schedule
 - Court Legislation
 - Other Activities
 - Court-Ordered Debt Task Force – Pilot Program
 - Commission on the Future of the Calif. Court System
 - Overview of RevDist and Amnesty FAQs
 - Audit and Distribution Issues (JC & SCO)

Information Items

- Spring 2016 Revenue Distribution Training

Wrap Up

- Pending Questions
- Training Certifications



Faculty and Contacts

State Controllers Office

Michael Gungon

Don Lowrie

LocalGovPolicy@sco.ca.gov

Judicial Council

John Judnick

Courtney Tucker

Robert Cabral

Andi Liebenbaum

Revenue & Collections Unit

Maria Lira

Theida Salazar

Daniel Delgadillo

Linda Culpepper

RevenueDistribution@jud.ca.gov



JUDICIAL COUNCIL
OF CALIFORNIA

Housekeeping Information

- Conference line will be “listen only” to avoid background noise.
- Ask questions at any time using WebEx “Chat” feature.
- Send “chat” questions to “Maria Lira,” who will review in real-time and send to faculty to be addressed when appropriate during the meeting.
- Some questions may be deemed better suited for individual follow up and not addressed here.
- “Pauses” provided between sections to submit chat questions before moving on to the next section.
- You must be registered to be able to ask questions and receive training completion certificate.
- All questions will be considered for possible inclusion in the FAQs document.



Housekeeping Information

- Evaluation Questionnaire:
 - Complete and return the evaluation questionnaire you will receive after the training. Your feedback is important and will let us know how we are doing and how to improve our trainings. Return evaluation to RevenueDistribution@jud.ca.gov by December 23.
- Training PowerPoint on Website
 - Will be posted by Friday, December 11, 2015 at:
<http://www.courts.ca.gov/revenue-distribution.htm>
- Training Completion Certificate
 - A 90-minute training completion certificate will be sent to registered participants upon request at RevenueDistribution@jud.ca.gov.

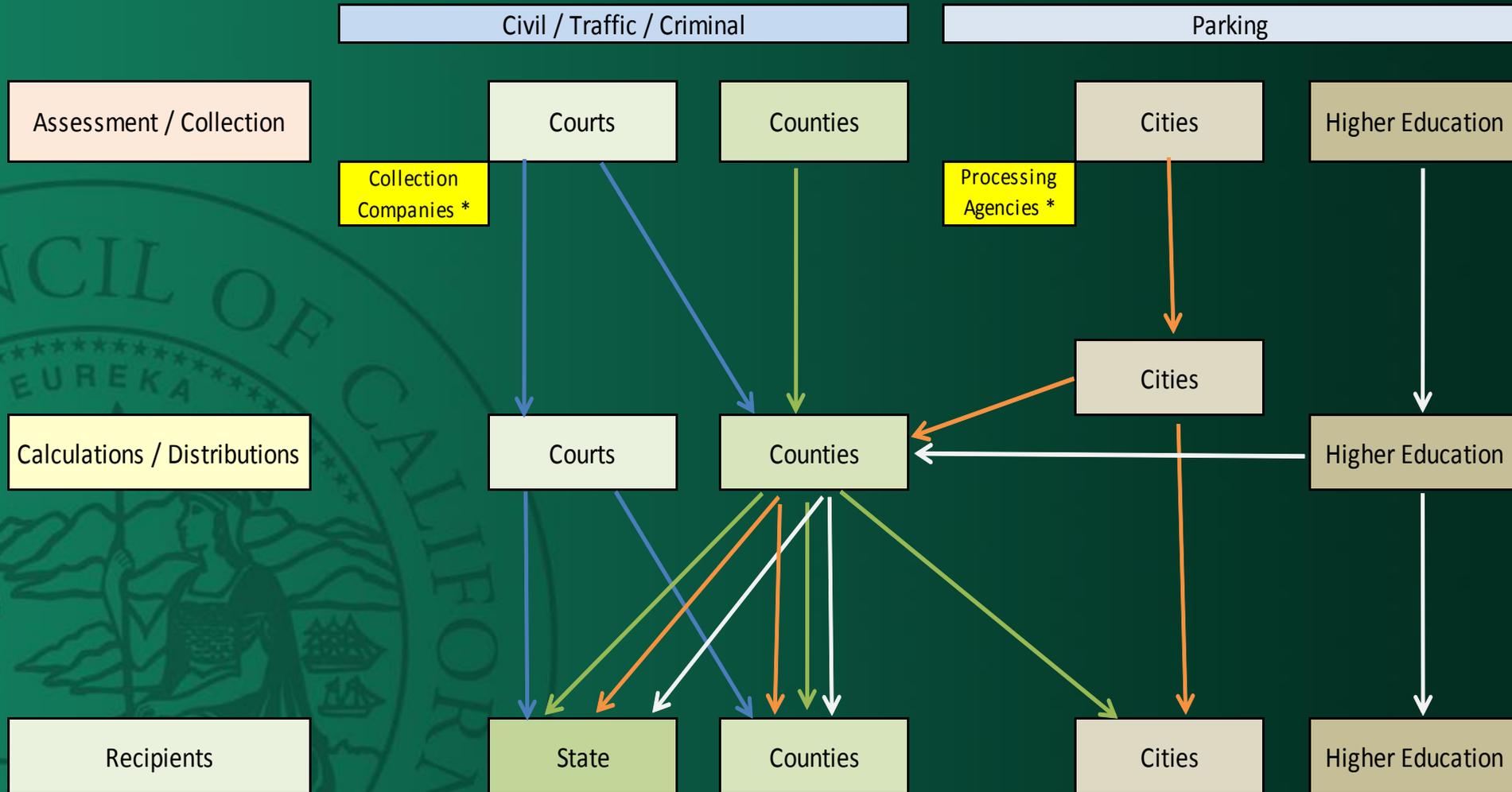


Training Goals

- Review changes to *Trial Court Revenue Distribution Guidelines* (formerly known as *Appendix C*)
- Identify changes to the *Proposed* 2016 Uniform Bail and Penalty Schedule
- Review and discussion of frequently asked questions related to revenue distribution
- Provide an overview of audit and distribution issues
- Update on revenue distribution pilot program
- Discuss Spring 2016 training options



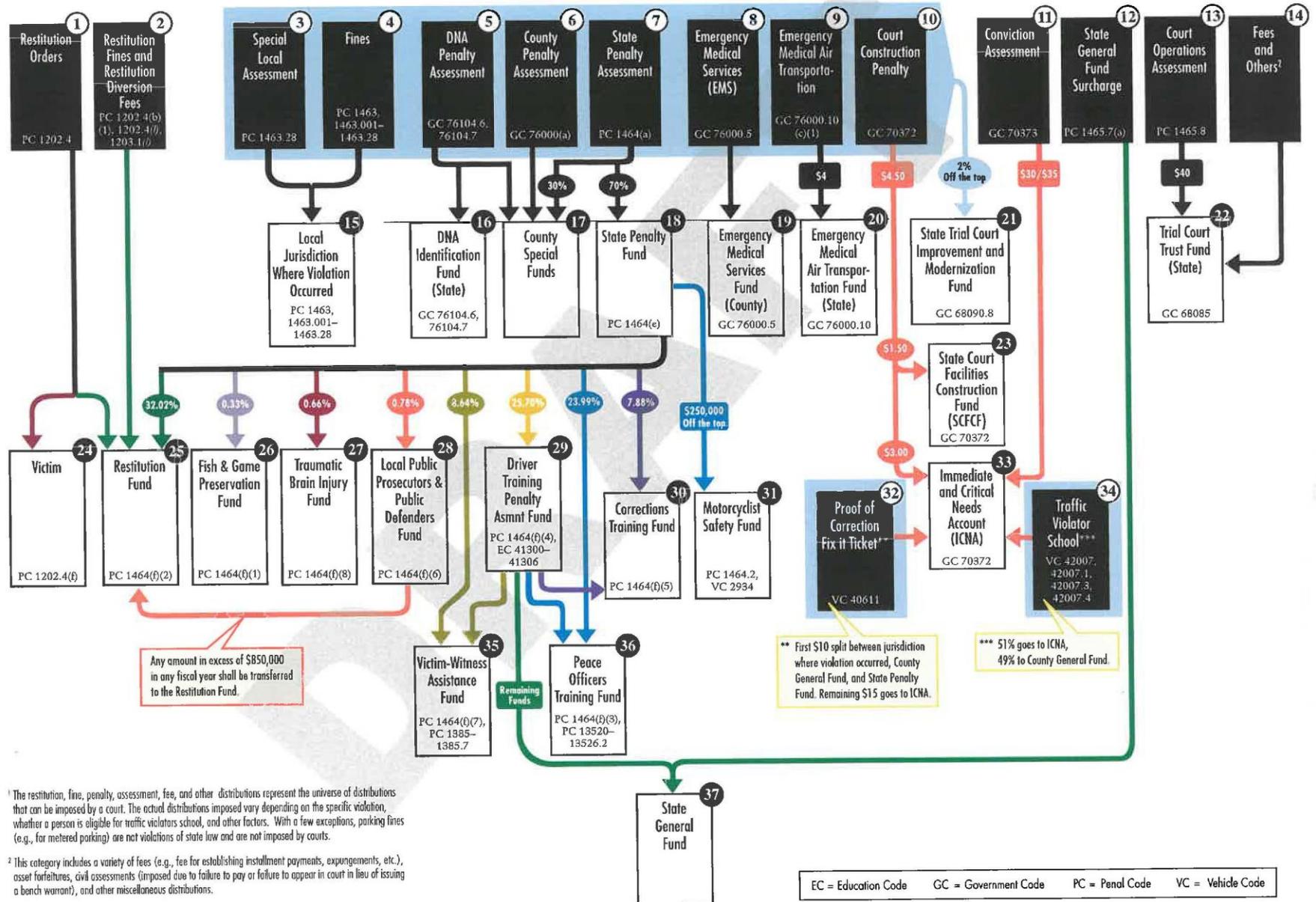
ASSESSMENT, COLLECTION, AND DISTRIBUTION COMPLEXITY OF THE PROCESS



* Entities under contract to perform collections.

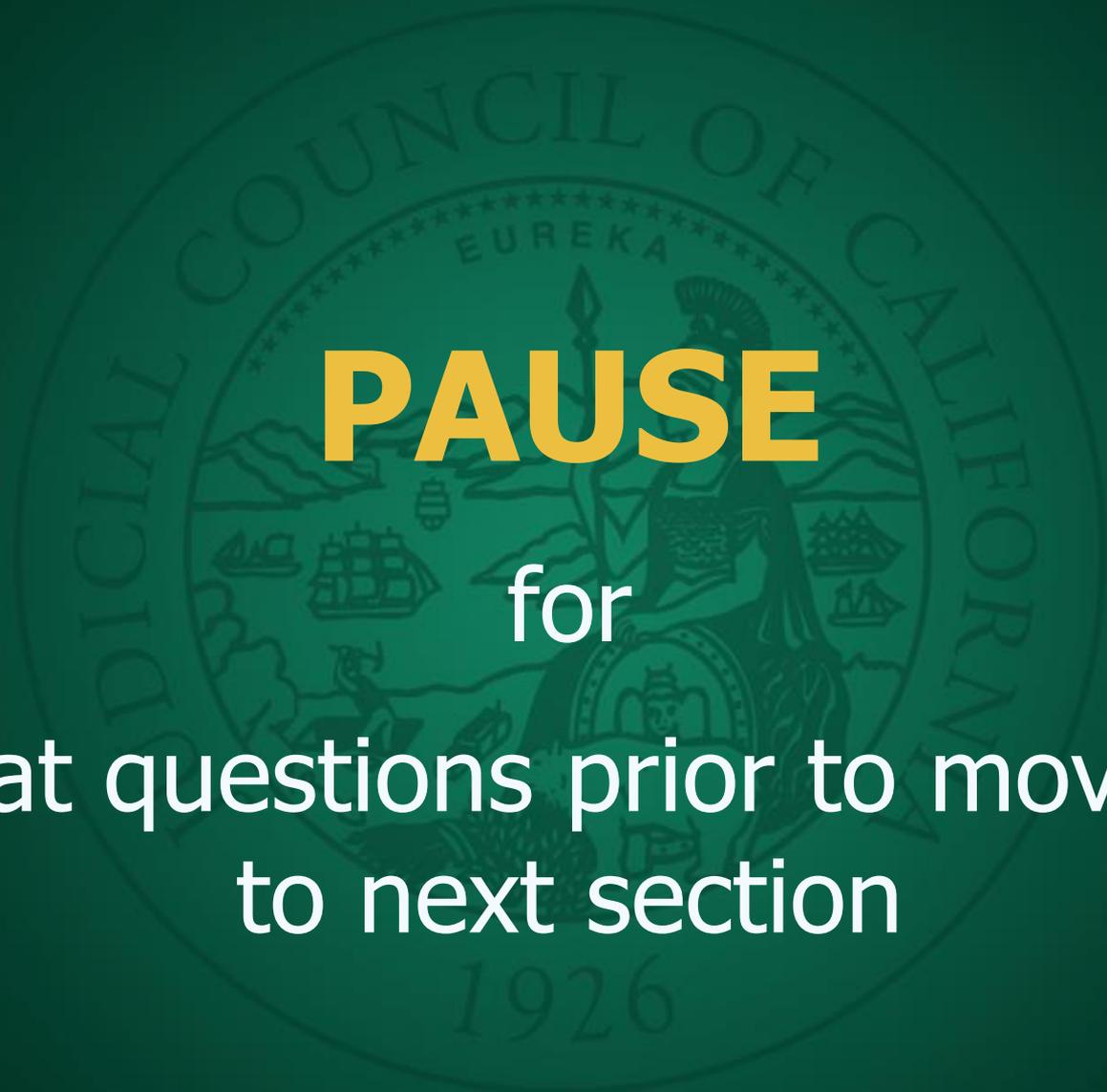


Distribution of Criminal and Traffic Fines, Fees, and Penalties¹



Source: Judicial Council of California based on earlier chart prepared by the California Department of Finance

(New 10/2015)

The background of the slide features a large, faint, circular seal of the Judicial Council of California. The seal contains the text "JUDICIAL COUNCIL OF CALIFORNIA" around the top edge, "EUREKA" in the center, and "1926" at the bottom. The central emblem depicts a figure holding a scale and a sword, surrounded by various symbols of justice and law.

PAUSE

for

chat questions prior to moving
to next section

Court Revenue Distribution Training

December 2015



Controller Betty T. Yee
California State Controller's Office

Introduction

Trial Court Revenue Distribution Guidelines

- Michael Gungon, Fiscal Analyst
- Don Lowrie, Fiscal Analyst

If you have any questions, please email
LocalGovPolicy@sco.ca.gov.



Overview of SCO Guidance

- Current Urgency Legislation
- Legislative Updates to Trial Court Revenue Distribution Guidelines (2015-2016)
- TC-31 Submission
- Listserv Notifications



SCO Trial Courts Website

The Trial Court Revenue Distribution Guidelines can be found at:
http://www.sco.ca.gov/ard_trialcourt_manual_guidelines.html



Controller Betty T. Yee
California State Controller's Office

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State / Local Government
eFITS
Reporting
MIRS
MyCalPAYS
Payroll Procedures Manual
Statewide Training
CLAS Training
MyCalPAYS Training
Payroll Deduction Information
LOCAL GOVERNMENT
State / Local Government
Agile Payment System
Local Government Apportionments
Local Government Reimbursements

Home -> [State and Local](#) -> [Local Government Information & Resources](#) -> Trial Court Revenue Distribution Guidelines

Trial Court Revenue Distribution Guidelines

Trial Court Revenue Distribution Guidelines

- > [Revision #25 Addendum - Distribution Tables - effective September 28, 2015](#) *New
- > [Revision #25 - Distribution Tables - Legislation effective January 1, 2015](#)
 - > [Summary of Changes for Trial Court Distribution Guidelines](#) *New
 - > [Trial Court Revenue Distribution Guidelines Request Form](#)
- > [Trial Court Revenue Distribution Survey](#)

Past Revisions

- > [Revision #24 - Distribution Tables - Legislation effective March 1, 2014](#)
- > [Revision #23 - Distribution Tables - Legislation effective January 1, 2013](#)
- > [Revision #22 - Distribution Tables - June 2010](#)

Revenue Distribution Training Program

- > [Press Release](#)



Controller Betty T. Yee
California State Controller's Office

Urgency Legislation

The codes below take effect immediately upon enactment. Additional information about the changes may be found on our website at http://www.sco.ca.gov/ard_trialcourt_manual_guidelines.html.

These codes will be included in Revision 26 as well.

Added/Amended	Code Section	Description
Added	F&G 12025.1	Obstructing the passage of fish in specified districts
Added	GC 70602.6	Added supplemental filing fee, \$40 on top of \$355; extended to June 30, 2018
Amended	GC 70616	Complex case fee, \$1000 per defendant, maximum of \$18,000; extended to June 30, 2018
Added	GC 70616.5	High frequency litigant fee, additional \$1000 for construction-related accessibility claims
Amended	GC 70617	Filing fee for filing a motion, application, or other paper requiring a hearing, as specified, \$60; extended to June 30, 2018
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Added	VC 42008.8	State amnesty program for infractions & specified misdemeanors
Added	WC 377	Local water conservation regulations; civil penalties
Added	WC 1058.5	State Water Resources Control Board water conservation emergency regulations
Added	WC 1846	Violation of State Water Resources Control Board regulations, orders, or terms & conditions, as specified.

List is not all-inclusive



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Added/Amended	Code Section	Description
Added	B&P 19318	Commercial cannabis activity
Added	B&P 19360	Cultivation of marijuana
Added	B&P 22948.23	Connected televisions
Added	F&G 2022	Ban on importation or sale of ivory or rhinoceros horn
Added	F&G 12025	Violations in connection with production or cultivation of controlled substance
Added	F&G 12025.1	<i>Obstructing the passage of fish in specified districts</i>
Added	F&A 27581.4	Violation of egg production & marketing laws
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Added	H&S 25367	Hazardous substance release disclosure of information requirements
Added	H&S 123473	Reproductive FACT Act notice requirements
Added	PRC 41821.5	Solid waste reporting requirements
Added	PRC 42364	Sale or distribution of products containing microbeads, takes effect in 2020
Added	VC 42008.8	<i>State amnesty program for infractions & specified misdemeanors</i>
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TC-31 Submission

Remittance to the State Treasurer (TC-31) forms can be found at

http://www.sco.ca.gov/Files-ARD-Local/LocRep/Remittc_tc31.xlsx

COF MONTH	FORM/INVOICE NUMBER
	CO _____

Please submit your TC-31s to....

State Treasurer
Cash Management Division
915 Capitol Mall, Room 319
Sacramento, CA 95814

OR

State Treasurer
Cash Management Division
P.O. Box 942809
Sacramento, CA 94209-0001

REPORT TO STATE CONTROLLER OF REMITTANCE TO STATE TREASURER - TC-31

COUNTY NAME - NUMBER: _____ / _____

COLLECTIONS FOR THE MONTH OF (MO) (YR): _____ / _____

DATE CONTROLLED (SIC ONLY)				AMOUNT		CODE SECTION & DESCRIPTION
FUND	AGENCY	FY	REV / OBJ	AMOUNT	ST	
0 0 0 1	0 2 5 0		1 6 1 4 0 3			General Fund - Penal Code 1465.7, AB 3000 - 20% surcharge on criminal fines
0 0 0 1	0 8 2 0		1 3 1 5 0 0			General Fund - Health & Safety 11372.5 - Criminalistics Lab Fee, Health & Safety 11502 - State Fines
0 0 0 1	9 9 9 0		1 3 0 9 0 1			General Fund - Penal Code 290.3 - First Conviction
0 0 0 1	9 9 9 0		1 3 0 9 0 2			General Fund - Penal Code 290.3 - Second & Subsequent Convictions
0 0 0 1	9 9 9 0		1 6 0 5 0 0			General Fund - Health & Safety 11489 - Asset Forfeitures (24%)
0 0 0 1	9 9 9 0		1 6 4 0 0 0			General Fund - Penal Code 1463.22(c) - Uninsured Motorists (\$10 Conviction)
0 0 0 1	9 9 9 0		1 6 4 2 0 1			General Fund - Vehicle Code 40225(d)
0 0 0 1	9 9 9 0		1 6 4 3 0 1			General Fund - Health & Safety 105257 - State penalty on lead abatement fines
0 0 4 4	2 7 4 0		1 1 4 3 0 0			Motor Vehicle Account - Vehicle Code 11208(c), AB 2499 - Traffic violator school (\$3 Certificate of Completion fee)
0 0 4 4	2 7 4 0		1 6 4 0 0 0			Motor Vehicle Account - Penal Code 1463.22(b) - Uninsured Motorists (\$3 conviction)
0 1 0 2	3 5 4 0		1 2 5 2 0 0			State Fire Marshall Lic/Cert Fund - Health & Safety 12105 - Explosive Permit Fees
0 1 5 9	0 2 5 0		1 6 4 6 0 2			Trial Court Improvement Fund - Government Code 68090.6 - 2% Automation
0 1 5 9	0 2 5 0		1 6 4 6 0 3			Trial Court Improvement Fund - GC 77205 - 50% Excess
0 2 0 0	3 6 0 0		1 2 5 6 0 0			Fish & Game Preservation Fund - Fish & Game 711.4 - Environmental Document Filing Fees
0 2 0 0	3 6 0 0		1 3 1 0 0 0			Fish & Game Preservation Fund - Fish & Game 13003 - Fish & Game Preservation Fund
0 2 0 0	3 6 0 0		1 3 1 3 0 0			Fish & Game Preservation Fund - Fish & Game 12021, 13000 - Secret Witness Program
0 2 1 4	7 8 7 0		1 3 0 8 0 0			Restitution Fund - Penal Code 1202.4, W&I 730.6
0 2 1 4	7 8 7 0		1 3 0 8 0 3			Restitution Fund - Penal Code 1001.90 - Diversions Restitution Fee
0 2 1 4	7 8 7 0		1 3 0 8 0 6			Restitution Fund - Penal Code 1202.44 - Conditional Sentence Restitution Fines
0 2 1 4	7 8 7 0		1 6 4 4 0 0			Restitution Fund - Penal Code 1463.18 - DUI Fines
TOTAL						

TO STATE CONTROLLER: I hereby certify that the foregoing report, as it relates to the agency I represent, is a correct statement of the State's share of collections deposited for the month stated above in accordance with Section 68101 of the Government Code. Remittance has been made to the State Treasurer.

SIGNATURE: _____ DATE: _____

CONTACT PERSON: _____

STATE TREASURER'S ENDORSEMENT

NOT to the State Controller's Office.

Note that the TC-31s include only the most commonly used codes. If you have any questions about how to report a remittance that is not included on the form, please email FiscalControl@sco.ca.gov and they will be happy to assist you.



Controller Betty T. Yee
California State Controller's Office

TC-31 Submission

If you are remitting due to an Audit finding, please use a separate form, write "99" as the month code at the top, and write "Audit" in the space for month.

CO#	MONTH	REMITTANCE ADVICE NUMBER
59	99	CO _ _ _ _ _

REPORT TO STATE CONTROLLER OF REMITTANCE TO STATE TREASURER - TC-31

COUNTY NAME - NUMBER: _____

COLLECTIONS FOR THE MONTH OF (Mo / Yr):

Audit /



STATE CONTROLLER'S USE ONLY					AMOUNT	s/c	CODE SECTION & DESCRIPTION
FUND	AGENCY	FY	REV / OBJ				
0 0 0 1	0 2 5 0		1 6 1 4 0 3			General Fund - Penal Code 1465.7; AB 3000 - 20% surcharge on criminal fines	
0 0 0 1	0 8 2 0		1 3 1 5 0 0			General Fund - Health & Safety 11372.5 - Criminalistics Lab Fee; Health & Safety 11502 - State Fines	
0 0 0 1	9 9 9 0		1 3 0 9 0 1			General Fund - Penal Code 290.3 - First Conviction	
0 0 0 1	9 9 9 0		1 3 0 9 0 2			General Fund - Penal Code 290.3 - Second & Subsequent Convictions	
0 0 0 1	9 9 9 0		1 6 0 5 0 0			General Fund - Health & Safety 11489 - Asset Forfeitures (24%)	

Other helpful tips:

- An original signature is required
- Include the fiscal year on the form
- Don't use the \$ sign as part of your entries; only list the amount.
- If you have a negative amount, please refer to:

Question No. 2 of the [July 9, 2014 Training FAQs](#).

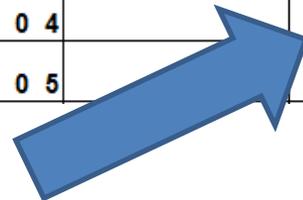


Controller Betty T. Yee
California State Controller's Office

TC-31 Line Item State Penalty (PC 1464)

- The line item for remitting the state penalty portion of amnesty program payments is found at line 23 on page 2. As you can see, it is marked with a ☆.

10	0 0 1 0	7 9 0 0			2 1 0 0 0 0		
19	0 9 0 3	0 6 9 0			2 3 7 5 0 0		State Penalty Fund - Penal Code 1464
20	0 9 0 3	0 6 9 0			2 3 7 5 0 1		Penal Code 1464(b) State Penalty Fund - Traumatic Brain Injury - Vehicle Code 27315
21	0 9 0 3	0 6 9 0			2 3 7 5 0 2		State Penalty Fund - Vehicle Code 40611 State Penalty Fund - Proof of Correction
22	0 9 0 3	0 6 9 0			2 3 7 5 0 3		State Penalty Fund - Penal Code 1464 - Fish & Game Assessment
23	0 9 0 3	0 6 9 0			2 3 7 5 0 4		State Penalty Fund - Vehicle Code 42008.8 - Amnesty ☆
24	0 9 3 2	0 2 5 0			1 3 1 7 0 5		Trial Court Trust Fund - GC 77201.3 (a)(1) Expenditure Base - Effective July 1, 2006



Listserv Notifications

To receive automatic notification of updates to the Trial Courts Revenue Distribution Guidelines, please visit our website at:

- http://www.sco.ca.gov/ard_trial_courts_notification_email.html

The screenshot shows the website for the California State Controller's Office, headed by Betty T. Yee. The page is titled "Trial Court Revenue Distribution Updates Email Subscription Service". It provides instructions for subscribing to a list that notifies subscribers when updated information is added to the Trial Court Revenue Distribution Guidelines webpage. The page includes a search bar, navigation menu, and a subscription form.

Controller Betty T. Yee
California State Controller's Office

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Trial Court Revenue Distribution Updates Email Subscription Service

This list notifies subscribers when updated information has been added to the Trial Court Revenue Distribution Guidelines webpage. To receive these notifications, please enter your information to sign up for the Trial Court Revenue Distribution Updates email distribution list.

To subscribe to the list:

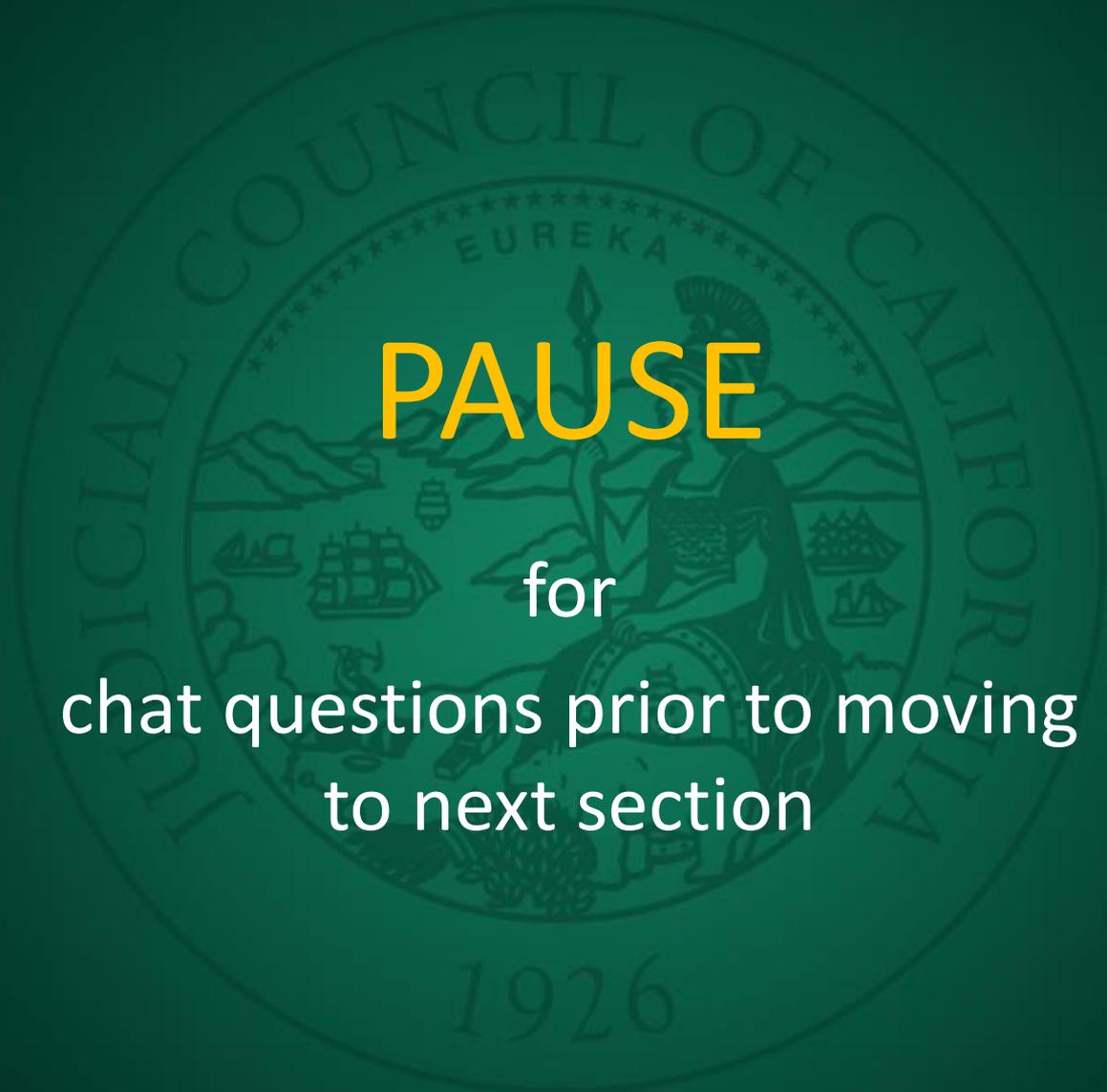
- > Enter your email address, and first and last name.
- > Click on the *Subscribe* button to generate a confirmation email to the email account you specified.
- > Open the email message and follow the instructions to complete the subscription process.

List Name:	Trial Court Revenue Distribution Updates
Email Address:	<input type="text"/>
First and Last Name:	<input type="text"/>
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California State Controller's Office, Controller Betty T. Yee



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JUDICIAL COUNCIL

UNIFORM BAIL AND PENALTY SCHEDULES



JUDICIAL COUNCIL
OF CALIFORNIA

Judicial Council

Uniform Bail and Penalty Schedules

(Rule 4.102)

- PC 1269b(c): requires that courts prepare, adopt, and annually revise a uniform countywide schedule of bail for all bailable felony offenses and for all misdemeanor and infraction offenses except Vehicle Code infractions.

The penalty schedule for infraction violations of the Vehicle Code shall be established by the Judicial Council in accordance with Section 40310 of the Vehicle Code.

- VC 40310: requires Judicial Council to annually adopt a uniform traffic penalty schedule for all non-parking Vehicle Code infractions.



Countywide Bail Schedules

- The judges in each county adopt a countywide bail schedule that sets bail based on the requirements that apply to that jurisdiction, including adjustment of the county penalty and EMS penalty for the traffic infraction schedule.
- Under Penal Code section 1463.28, in 30 counties, a traffic infraction bail schedule may exceed the bail amounts that are set in the council's schedule if the board of supervisors adopts a resolution to increase the bail.



JC Uniform Bail and Penalty Schedules

<http://www.courts.ca.gov/documents/2015-JC-BAIL.pdf>

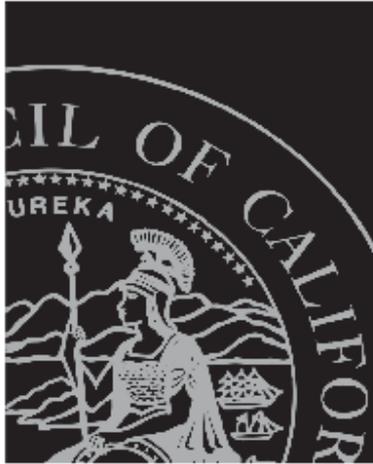
The Uniform Bail and Penalty schedules are revised to conform to recent legislation. The Judicial Council adopted the 2015 Uniform Bail and Penalty Schedules at the December 2015 council meeting.

Purpose of schedules:

1. To provide the standard bail amount, which for Vehicle Code offenses is the amount that may be used for a bail forfeiture instead of further proceedings.
2. Serve as a guideline for the imposition of a fine as all or a portion of the penalty for a first conviction of a listed offense where a fine is used as all or a portion of the penalty for such offense.



JUDICIAL COUNCIL
OF CALIFORNIA



Uniform Bail and Penalty Schedules

~~2015~~ 2016 EDITION

(Cal. Rules of Court, rule 4.102)

TRAFFIC
BOATING
FORESTRY
FISH AND GAME
PUBLIC UTILITIES
PARKS AND RECREATION
BUSINESS LICENSING



JUDICIAL COUNCIL
OF CALIFORNIA



JUDICIAL COUNCIL
OF CALIFORNIA

- F. "Total Bail" shall not exceed statutory limits. Vehicle Code section 40310 specifies that the "fine" amount of the total bail shall not exceed the limitations specified by Vehicle Code sections 42001 and 42001.5.
- G. Rule 4.105 of the California Rules of Court provides that with certain exceptions deposit of bail is not required to appear for arraignment or trial for an infraction case. Deposit may be required: by statute, such as trial by written declaration; if a person does not sign a promise to appear as ordered by the court; or a judicial officer states a reason for a deposit to schedule a trial.

In cases where a court appearance is required by a court, the amounts set forth in the Uniform Bail and Penalty Schedules do not necessarily indicate the appropriate total penalties; rather, they ensure that, in most cases, when bail is posted, sufficient funds will be available to meet the defendant's obligations. Upon conviction, however, "additional penalties" are added to any fine. It is incumbent upon the judge who hears each case to determine the proper total penalty (fine and "additional penalties") based on the particular facts presented.

With the exception of juveniles under age 18, there shall be no mandatory court appearance for any infraction of the California Vehicle Code punishable by fine only. A court may require a mandatory appearance for an infraction violation of the Vehicle Code when a statutory driver's license restriction, suspension, or revocation is authorized; community service or proof of payment or correction is mandatory; or a violation requires specific action under the Vehicle Code in addition to a fine. This paragraph does not apply to violations of local ordinances based on Vehicle Code sections.

- H. The "Total Bail" for an offense *not specifically listed* in the Uniform Traffic Infraction Bail and Penalty Schedule is the amount set for the general category of that offense unless a California code or regulation specifies otherwise. The court operations assessment and criminal conviction assessment are collected in addition to the "Total Bail." The suggested minimum "Total Bail" for an offense *not specifically listed* in the Uniform Traffic Misdemeanor Bail and Penalty Schedule, unless a California code or regulation specifies otherwise, is:

	Base	+ Additional Penalties*&	Surcharge	+	Fees	= Total Bail*/Fees (*See sections II-IV)
Misdemeanor	\$ 75	+	\$251	+	\$70	= \$396
Infraction	\$ 35	+	\$127	+	\$75	= \$237

The suggested minimum "Total Bail" for an offense *not specifically listed* in the Uniform Public Utilities Bail and Penalty Schedule, unless a California code or regulation specifies otherwise, is:

Misdemeanor	\$185	+	\$588	+	\$70	= \$839
-------------	-------	---	-------	---	------	---------

The suggested minimum "Total Bail" for an offense *not specifically listed* in the Uniform Boating, Business Licensing, Fish and Game, Forestry, or Parks and Recreation Bail and Penalty Schedules, unless a California code or regulation specifies otherwise, is:

Misdemeanor	\$100	+	\$310	+	\$70	= \$480
Infraction	\$ 35	+	\$123	+	\$75	= \$233



TRAFFIC INFRACTION FIXED PENALTY SCHEDULE
 (*See Preface, Section III) (**See Preface, Section IV)
 (Vehicle Code)

Section	Notes	Offense	Base		County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	TAP Fee	"Total Bail" **	Category	DMV Points
			Fine /Fee	State PA*													
			10/10	7.00	5/10	5.00	20%	2.00	4		40 35	1	0.00	197.00	1a	0	
21106 (b)		Use of Crosswalks Where Prohibited by Sign	25	30	21.00	15	15	5	6 4	121.00	40 35	1	0.00	197.00	1a	0	
21113 (a)	18	Unlawful Driving on Public Grounds	35	40	28.00	20	20	7	8 4	162.00	40 35	1	0.00	238.00	2a	0	
21116 (a)		Unlawful Driving on Levee, Canal Bank, etc.	35	40	28.00	20	20	7	8 4	162.00	40 35	1	0.00	238.00	2a	0	
21201 (a-d)	A	Equipment Requirements for Bicycles	25	30	21.00	15	15	5	6 4	121.00	40 35	1	0.00	197.00	1a	0	
21201 (a-d)	B	Equipment Requirements for Bicycles	25	0	0.00	15	0	0	0 0	0.00	0 0	0	0.00	25.00	1a	0	
21201.5 (a,b)		Selling Bicycle Without Required Reflectors	25	30	21.00	15	15	5	6 4	121.00	40 35	1	0.00	197.00	1a	0	
21202 (a)		Bicyclist at Less Than Normal Speed Must Keep to Right	25	30	21.00	15	15	5	6 4	121.00	40 35	1	0.00	197.00	1a	0	
21203		Illegal for Bicyclist to Hitch Ride on Other Vehicle	25	30	21.00	15	15	5	6 4	121.00	40 35	1	0.00	197.00	1a	0	
21204 (a,b)		Riding Bicycle on Other Than Permanent Seat	25	30	21.00	15	15	5	6 4	121.00	40 35	1	0.00	197.00	1a	0	
21205		Illegal for Bicyclist to Carry Articles That Prevent Keeping One Hand on Handlebar	25	30	21.00	15	15	5	6 4	121.00	40 35	1	0.00	197.00	1a	0	
21207.5 (a)	19	<u>Illegal Operation of Motorized Bicycle Prohibited on Bike Trails or Class 3 Electric Bicycle</u>	25	30	21.00	15	15	5	6 4	121.00	40 35	1	0.00	197.00	1a	0	
21208 (a,b)		Riding Outside Bicycle Lane Prohibited	25	30	21.00	15	15	5	6 4	121.00	40 35	1	0.00	197.00	1a	0	
21209 (a)		Motor Vehicle in Bicycle Lane Prohibited	35	40	28.00	20	20	7	8 4	162.00	40 35	1	0.00	238.00	2a	1	
21210	18	Bicycle Parked—Impeding Pedestrian Traffic Prohibited	25	30	21.00	15	15	5	6 4	121.00	40 35	1	0.00	197.00	1a	0	
21211 (a,b)		Illegally Impeding Bicycle Lanes	35	40	28.00	20	20	7	8 4	162.00	40 35	1	0.00	238.00	2a	0	
21212 (a)	20	<u>Under 18 Shall Not Operate Bicycle, Nonmotorized Scooter, or Skateboard/Wear In-line or Roller Skates/Ride Bicycle, Nonmotorized Scooter, or Skateboard as Passenger Without a Helmet</u>	25	30	21.00	15	15	5	6 4	121.00	40 35	1	0.00	197.00	1a	0	
21213 (a)	19	<u>Operation of Class 3 Electric Bicycle by Person Under 16 Years of Age</u>	25	30	21.00	15	15	5	6 4	121.00	40 35	1	0.00	197.00	1a	0	
21213 (b)	19	<u>Violation of Helmet Requirement for Class 3 Electric Bicycle</u>	25	30	21.00	15	15	5	6 4	121.00	40 35	1	0.00	197.00	1a	0	



Proposed revisions to conform the 2016 schedules to recent changes in the law include the following:

Revision of section III.F on page iv of the preface to explain that Senate Bill 326 (Stats. 2015, ch. 797) amended Government Code section 76000.10 to extend the sunset provision for the \$4 emergency medical air transportation penalty until January 1, 2018.

Revision of section IV.C.1 on page v of the preface to clarify that Vehicle Code section 42001 allows local entities who employ peace officers to set a fine schedule for bicycle violations that occur in their jurisdiction.

Revision of section IV.G on page vii of the preface to provide information on rule 4.105 of the California Rules of Court and bail procedures for infraction violations.



Addition or modification of infraction offenses for violation of Vehicle Code sections:

- 21207.5(a), illegal operation of motorized bicycle or class 3 electric bicycle;
- 21213(a), operation of class 3 electric bicycle by person under 16 years of age;
- 21213(b), violation of helmet requirement for class 3 electric bicycle;
- 21291, operation of electrically motorized board by person under 16 years of age;
- 21292, operation of electrically motorized board by person without wearing helmet as required;
- 21293 (a–c), operation of electrically motorized board during darkness without required equipment;
- 21294 (a–c), illegal operation of electrically motorized board;
- 21296(a), operation of electrically motorized board while under influence of alcohol or drug;
- 21656, failure of vehicle to turn out as required;
- 24016(a)(2), illegal operation of motor on electric bicycle;
- 24016(d), illegal modification of electric bicycle;
- 24604(a), lamps/flag on load projecting to rear required;



Addition or modification of infraction offenses for violation of Vehicle Code sections:

- 24604(b), flag on load projecting to rear required for wide loads;
- 25104(a), flag required on overwidth during daylight hours;
- 25104(b), flag required on wide load during daylight hours;
- 25305(a–c), use of fusees specified;
- 27154.1(a), opening in floor of vehicle allowing penetration of fumes or fire;
- 27154.1(b), floor of vehicle permeated with oil;
- 27400, headsets, ear plugs, or earphones in or over both ears prohibited;
- 35554(c)(1, 2), operation of transit bus in excess of specified weight limit;
- 35554(d)(1–4), operation of articulated or zero-emission transit bus in excess of specified weight limit;
- 35554(f), failure to provide required information for operation of articulated transit bus;
- 35554(h), operation of transit bus in excess of federal weight limit;
- 35554(i), weight in excess of 20,000 pounds on one axle without four wheels.



Modification of misdemeanor offense for violation of Vehicle Code section:

- 2800(a), refusal to obey police officer;
- 2801, refusal to obey firefighter prohibited;
- 2803(a), refusal to adjust unsafe or unlawful load;
- 2803(b), failure to submit weight certificate or bill of lading to officer;
- 22513(a)(1), illegal stop by tow truck on highway;
- 22513(a)(2–4), failure to possess required information for stop of tow truck on highway;
- 22513(b), failure to maintain or provide required information for stop of tow truck on highway;
- 22513(c)(1, 2), failure to provide written estimate as required for tow services;
- 22513(d)(1, 3), illegal fee charged for tow or storage services;
- 22513(d)(4), failure to provide or maintain required information for tow or storage services;



Modification of misdemeanor offense for violation of Vehicle Code section:

- 22513.1(a), failure to maintain required information for tow and storage of vehicle;
- 22513.1(b), failure to maintain and provide required information for tow and storage of vehicle;
- 34501.12(b), unlawful operation of vehicle by motor carrier without submitting required inspection information;
- 34501.12(d), unlawful operation of vehicle by motor carrier.



Additional Resources

Judicial Council Reports:

<http://www.courts.ca.gov/jcmeetings.htm>

Judicial Council Bail Schedules:

<http://www.courts.ca.gov/7532.htm>

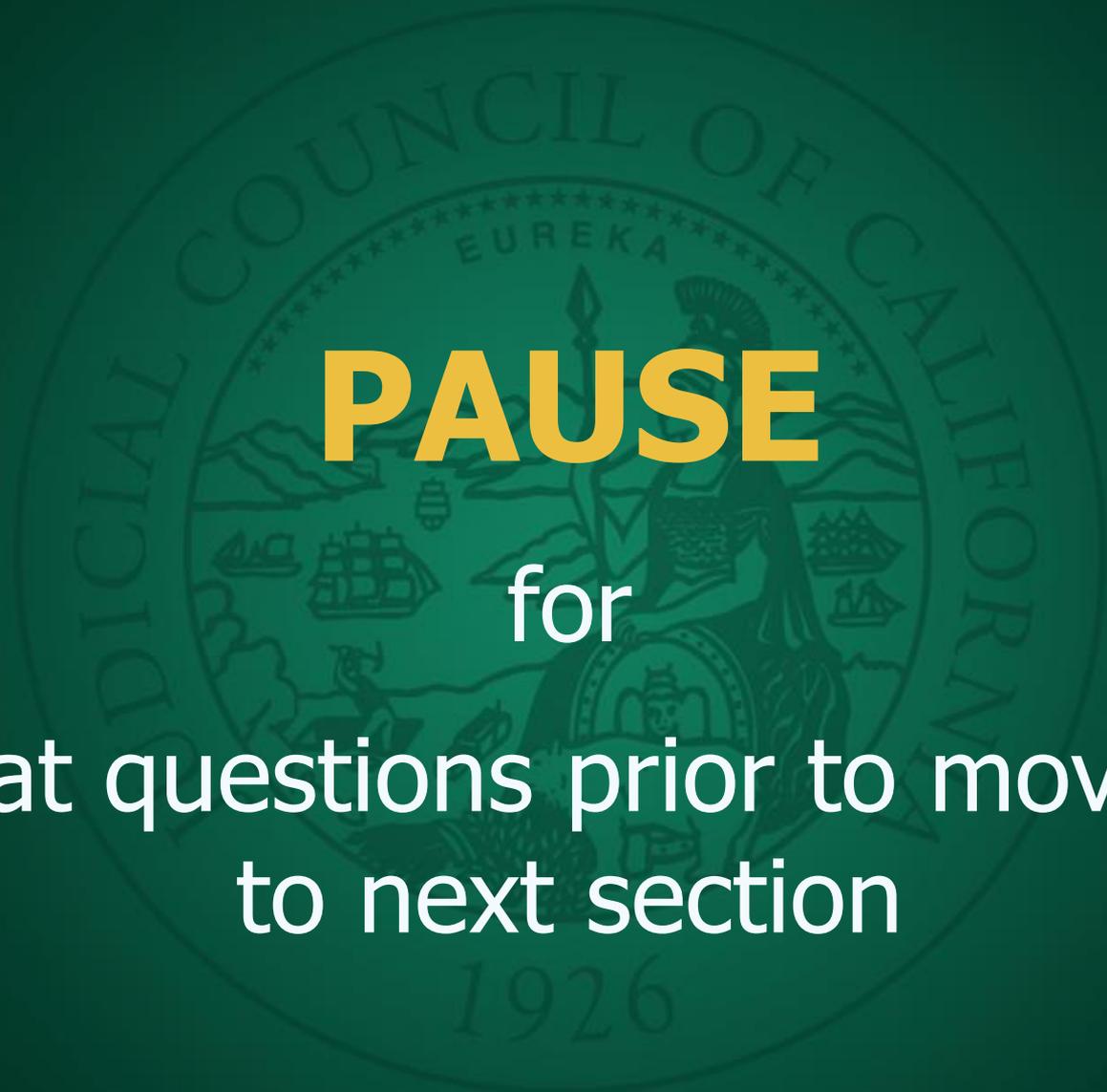
Contacts

Any questions about bail schedules may be directed to:

- Courtney Tucker
 - Phone: (415) 865-7611
 - Email: courtney.tucker@jud.ca.gov



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The background of the slide features a large, faint, circular seal of the Judicial Council of California. The seal contains the text "JUDICIAL COUNCIL OF CALIFORNIA" around the top edge and "1926" at the bottom. In the center, there is a figure holding a scale and a sword, with the word "EUREKA" above it. The seal is rendered in a light green color that blends with the dark green background.

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Judicial Council Governmental Affairs

“Court-Related Legislation” 2015

http://www.courts.ca.gov/documents/2015_LegSummary.pdf



JUDICIAL COUNCIL
OF CALIFORNIA



Summary of Court-Related Legislation

JUDICIAL COUNCIL OF CALIFORNIA • GOVERNMENTAL AFFAIRS

NOVEMBER 2015

During the first year of the 2015–2016 Legislative Session, the Legislature and Governor enacted numerous bills that affect the courts or are of general interest to the legal community. Brief descriptions of the measures of greatest interest follow, arranged according to subject matter. The document also includes a table summarizing new laws that create or expand crimes, as well as an index listing all the bills and the page numbers on which their descriptions can be found. Legislation that requires more detail is available as an appendix in the back of the document.

The effective date of legislation is stated with each measure. Urgency measures normally take effect upon enactment, and some other measures have delayed operative dates.

This *Summary* is intended to serve only as a guide to identify bills of interest; the bill descriptions are not a complete statement of statutory changes. Code section references are to the sections most directly affected by the bill; not all sections are necessarily cited.

Until the annual pocket parts are issued, bill texts can be examined in their chaptered form in *West's California Legislative Service* or *California Deering's Advance Legislative Service*, where they are published by chapter number. In addition, chaptered bills and legislative committee analyses can be accessed on the Internet at <http://leginfo.legislature.ca.gov>. Individual chapters may be ordered directly from the Legislative Bill Room, State Capitol, 10th Street, Room B32, Sacramento, California 95814, 916-445-2323.

2	Budget
2	Civil
7	Court Interpreters
7	Criminal Law And Procedure
11	Domestic Violence
12	Employee/Employer Issues
13	Family Law
14	Judges/Judicial Officers
14	Judicial Council–Sponsored Legislation
14	Juries
15	Juvenile Delinquency
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22	Appendix A: Civil Legislation
28	Appendix B: Employee/Employer Issues
30	Appendix C: 2015 New And Expanded Crimes Table
40	Index

“Court-Related Legislation” 2015

APPENDIX C

2015 NEW AND EXPANDED CRIMES

BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	CODE SECTION(S)	SUMMARY DESCRIPTION OF NEW LAW
<p>AB 32 (Waldron), CH. 614</p> <p><i>Effective/Operative Date:</i> January 1, 2016</p> <p>Computer crimes</p>	PEN 502	<p>Raises the maximum misdemeanor fines for computer access, use, and damage crimes from \$5,000 to \$10,000, and provides that the statute of limitations for any computer access, use, or damage crime runs from the date of discovery, if it is alleged that the defendant acquired, copied, or distributed an image of a sexual or intimate nature.</p>
<p>AB 53 (Garcia, Cristina), CH. 292</p> <p><i>Effective/Operative Date:</i> January 1, 2016</p> <p>Vehicles: child safety seats</p>	VEH 27350	<p>Sunsets existing child passenger restraint law for children younger than eight years of age as of January 1, 2017.</p> <p>Expands the existing crime by requiring, as of January 1, 2017, a driver to secure children under eight, while traveling in a motor vehicle, in a rear seat with an appropriate child passenger restraint system meeting federal standards; and a parent, legal guardian, or driver to secure children under the age of two, while traveling in a motor vehicle, in a rear-facing child passenger restraint system meeting federal standards, and the child to be secured in compliance with the passenger restraint manufacturer's specifications.</p>
<p>AB 96 (Atkins), CH. 475</p> <p><i>Effective/Operative Date:</i> January 1, 2016</p> <p>Animal parts and products: importation or sale of ivory and rhinoceros horn</p>	F&G 2022	<p>Makes the importation or sale of ivory or rhinoceros horn in California a misdemeanor subject to a specified fine or imprisonment in county jail or both.</p>
<p>AB 160 (Dababneh), CH. 427</p> <p><i>Effective/Operative Date:</i> January 1, 2016</p> <p>Criminal profiteering: counterfeit labels: sales and use taxes</p>	PEN 186.2; R&T 6007, 6009.2	<p>Adds offenses related to piracy and insurance fraud onto the list of criminal offenses for which prosecutors can seek asset forfeiture. Expands the definition of "organized crime" to include pimping and pandering, counterfeiting of a registered mark, piracy of recording or audiovisual work, embezzlement, securities fraud, insurance fraud, grand theft, money laundering, or forgery for profit.</p>
<p>AB 180 (Bonilla), CH. 395</p> <p><i>Effective/Operative Date:</i> January 1, 2016</p> <p>Cemetery and Funeral Bureau</p>	B&P Various	<p>Merges the Funeral Directors and Embalmers Law and the Cemetery Act into one Cemetery and Funeral Bureau Act, and merges the California Funeral Directors and Embalmers Fund and the Cemetery Fund into the combined Cemetery and Funeral Fund, thereby expanding the definition of an existing crime.</p>



Other Activities

- Court-Ordered Debt Task Force
 - Revenue Distribution Pilot Program
- Commission on the Future of California's Court System
- Frequently Asked Questions (FAQs)



Revenue Distribution Pilot Program Update



JUDICIAL COUNCIL
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Commission on the Future of California's Court System

The goal of the Futures Commission is to catalyze change. It will take a fresh look at legal and structural challenges to long-term efficiency and stability for the judicial branch and develop practical, achievable recommendations that may be implemented by the Judicial Council, the Legislature, or the Governor.

— Chief Justice Tani G. Cantil-Sakauye



JUDICIAL COUNCIL
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Concept 3: Collection of Court-Ordered Debt

- Uniform data reporting and collection efforts in order to effectively monitor outstanding fines and fees and ensure they are paid.
- Realign the court-ordered debt collection process and conduct a comprehensive evaluation of court-ordered debt collection practices and responsibilities.



Concept 3: Collection of Court-Ordered Debt

Why is this concept being considered by the Futures Commission?

In 2014, the Legislative Analyst's Office (LAO) issued a report on *Restructuring the Court-Ordered Debt Collection Process* in California courts. Among its findings, the report found that the current court-ordered debt collection process lacks clear fiscal incentives for programs to collect debt in a cost-effective manner or to maximize collections.

The LAO found it difficult to comprehensively evaluate and compare the performance of existing collection programs due to a lack of complete, consistent, and accurate reporting. Finally, the current statutory division of collection responsibilities between counties and courts, the LAO concluded, can undermine the oversight and modification of collection programs—thereby making it difficult to make improvements.



Concept 3: Collection of Court-Ordered Debt

Goals and Potential Strategies

The Futures Commission will consider the recommendations of the 2014 LAO report on the court-ordered debt collection process.

Specifically, the Futures Commission will examine: whether to realign the current court-ordered debt collection process so that one entity is responsible for collections; ways to provide greater flexibility in how court-ordered debt is collected; collections incentive models; and ways to improve data collection and performance metrics.



Concept 4: Decriminalizing Traffic Infractions

A new model for processing traffic infractions that may include decriminalizing such infractions and/or shifting their adjudication to an administrative forum.

Explore decriminalizing traffic infractions and/or moving their processing to an administrative or a non-criminal forum.



Concept 4: Decriminalizing Traffic Infractions

Why is this concept being considered by the Futures Commission?

Traffic infraction violations make up a substantial part of the 58 Superior Courts of California's workload, with over 4.5 million traffic infraction filings processed through the California criminal courts.

For many Californians, this is their only or primary contact with the courts. Criminal law procedures may be sometimes restrictive and non-intuitive, potentially impeding access to justice and impairing efficient court operations.

These high-volume cases, which consume substantial criminal judicial and court resources, may be more suitable for a different adjudication forum and procedures.



Concept 4: Decriminalizing Traffic Infractions

Goals and Potential Strategies:

In exploring how traffic infractions may be adjudicated differently, the Futures Commission is guided by the goal of having a traffic adjudication process that preserves due process for defendants, but is more efficient, flexible, user-friendly, and consistent with the less serious nature of these violations.

Specifically, the Futures Commission will assess the pros and cons of the current system, previous traffic adjudication pilot programs, previous legislatively required studies and recommendations, and alternative systems.

At a minimum, the Futures Commission will consider the following:

- which infraction violations (e.g., “no-point” violations) may be suitable for decriminalization and resolution in an alternate forum;
- what role judicial officers and the criminal court may have in the alternative forum (e.g., appeal/review);
- procedures for party and witness participation, trials by written declaration, and failures to appear;
- the appropriate burden of proof threshold;
- resolution methods (e.g., fines and fees, traffic school, and community service); and
- the appropriate prosecutorial body.

The Commission will also investigate the fiscal impact of any resulting recommendation.



Commission on the Future of California's Court System

- The commission's Dec. 8 public comment session on its four concepts will take place from 10 a.m. to 1 p.m. in San Francisco. Written comment is also invited. The public can listen to the comment session remotely by calling into a listen-only phone line.
- **Additional sessions** are planned for early next year to solicit input on additional commission concepts.



Revenue Distribution FAQs

Check trial court revenue distribution resources on the SCO and JCC websites.

- FAQs: Revenue Distribution Training
 - [2014 Training](#)
 - [2013 Training](#)
- 2015 Training questions to be posted.



Amnesty FAQs

FREQUENTLY ASKED QUESTIONS

Statewide Traffic Tickets/Infraction Amnesty Program

Vehicle Code section 42008.8

Effective October 1, 2015 to March 31, 2017

The Statewide Traffic Tickets/Infraction Amnesty program guidelines and other resources are available at www.courts.ca.gov/partners/941.htm or by e-mail at amnesty@jud.ca.gov.

Below are responses to some of the frequently asked questions about the amnesty program.

1	Program Authority
----------	--------------------------

1.1 What is the governing authority of the amnesty program?

On June 24, 2015, Senate Bill 85 was enacted, adding section 42008.8 of the Vehicle Code. The statute authorizes and sets the general parameters for a one-time mandatory amnesty program for bail and fines meeting the eligibility requirements. The 18-month program is to be conducted October 1, 2015 through March 31, 2017, and implemented by the local entities responsible for the collection of delinquent court-ordered debt under Penal Code section 1463.010(b).



FAQs

- **Revenue Distribution**

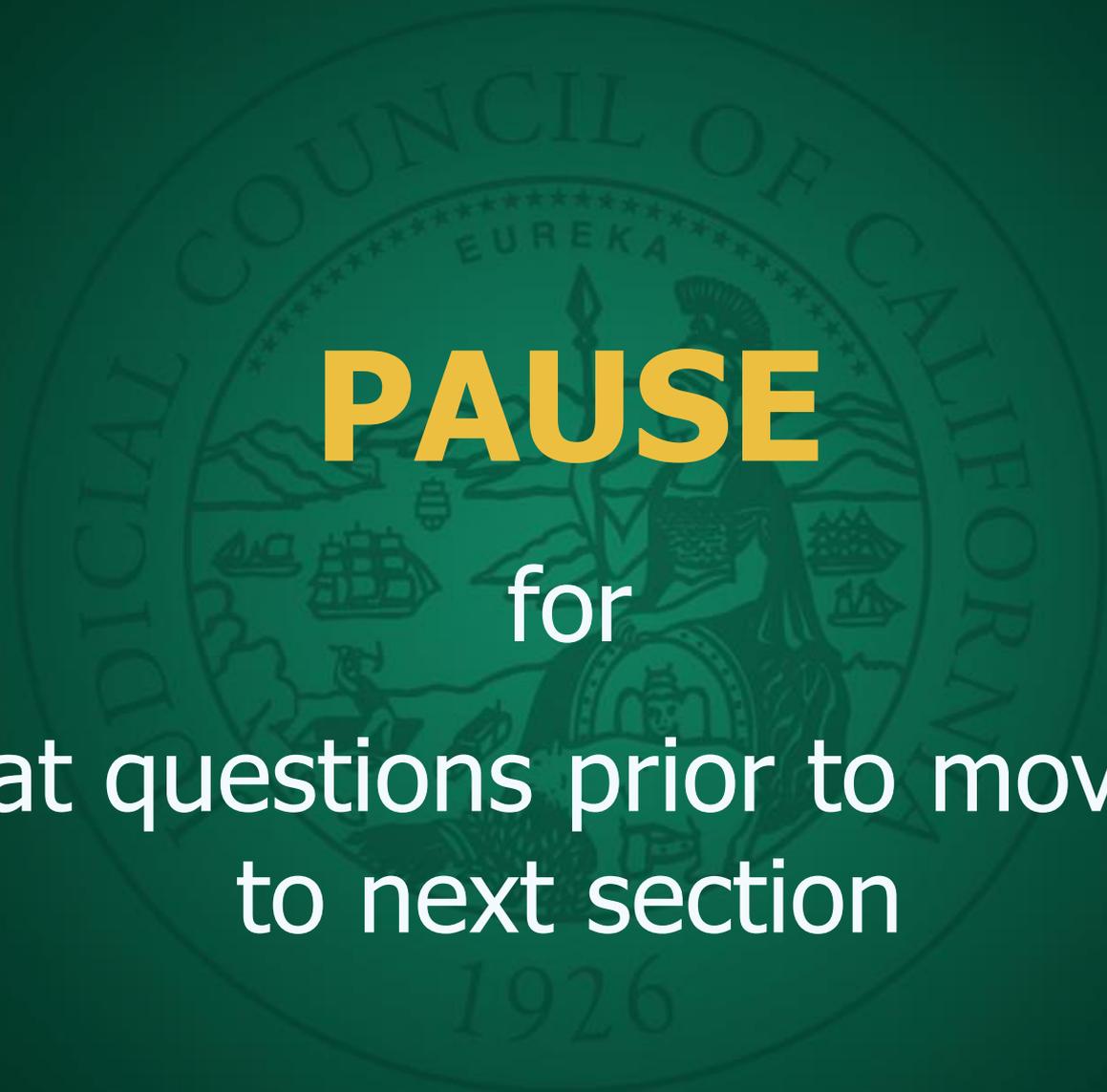
<http://www.courts.ca.gov/revenue-distribution.htm>

- **Amnesty**

<http://www.courts.ca.gov/partners/documents/rc-amnesty2015-FAQs.pdf>



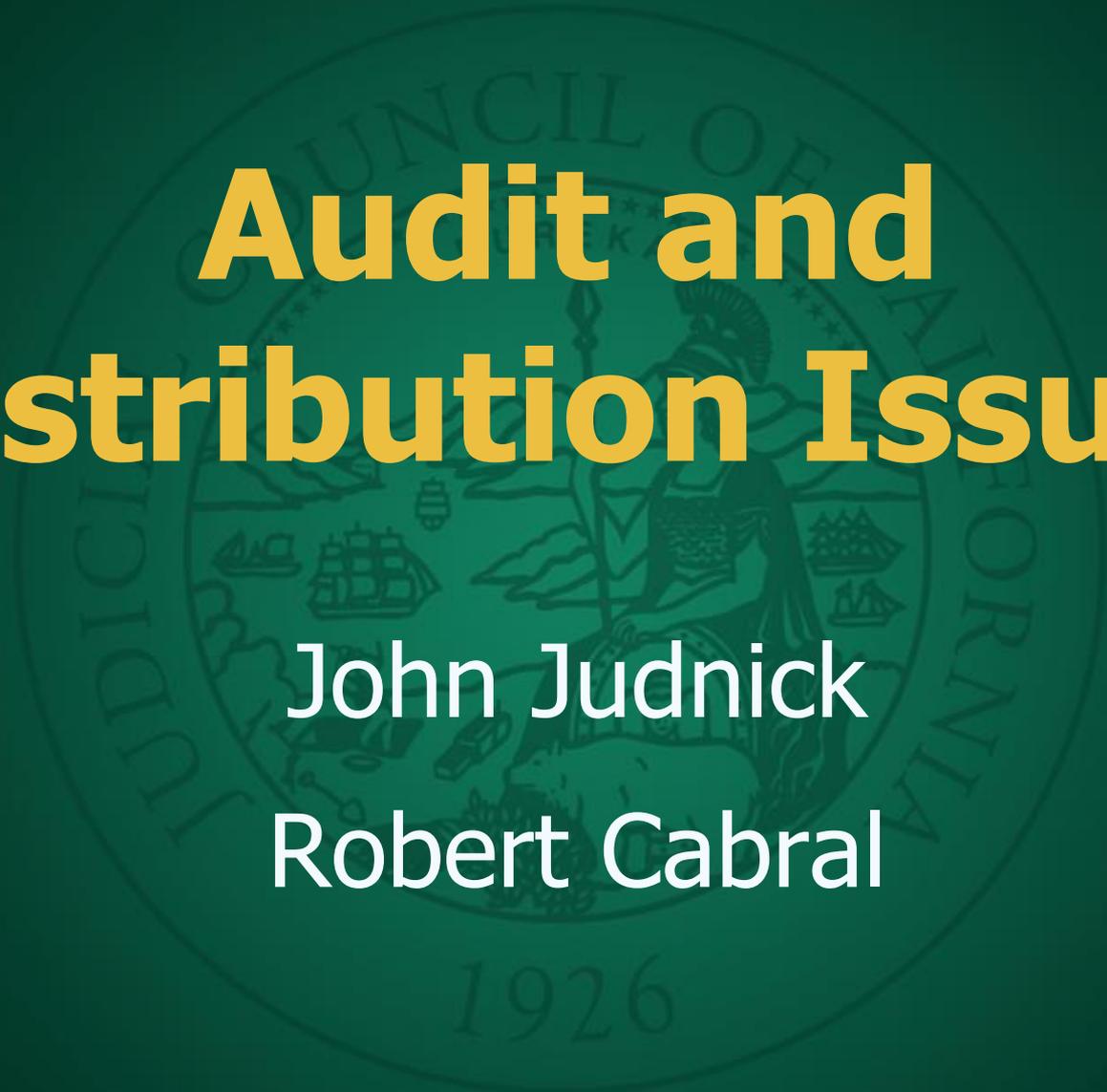
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The background features a large, faint seal of the Council of California Judges. The seal is circular and contains a central figure holding a scale of justice and a sword. The text "COUNCIL OF CALIFORNIA JUDGES" is visible at the top, and "1926" is at the bottom. The seal is rendered in a light green color that blends with the dark green background.

Audit and Distribution Issues

John Judnick

Robert Cabral

Audit and Distribution Issues

Audit Services (AS) of Judicial Council performs:

- Regular cycle audits of the superior courts.
 - One area reviewed is revenue distribution.
 - Revenue distribution review performed with a focus of what the CMS calculations are programmed to do now and the recent past.
 - This review/testing focuses on testing complex distributions and other select distributions that have been found to be recent issues.
- New CMS's
 - If a court is in the process of implementing a new CMS, AS may defer review of existing CMS revenue distributions.



Audit and Distribution Issues

Revenue Distribution Guidelines Page of the California Courts Website

Similar to SCO, the California Courts Website Revenue Distribution Guidelines page is designed to serve as a centralized resource for trial court and justice partner stakeholders to access important information on revenue distribution: SCO's Distribution Guidelines, upcoming and past training modules, and other related resources such as testing spreadsheets. Be careful when using the spreadsheets.

<http://www.courts.ca.gov/revenue-distribution.htm>



Policy & Administration

Chief Justice Tani G. Cantil-Sakauye

Judicial Council

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Revenue Distribution Guidelines

 [Print](#)

This page is designed to serve as a centralized resource for trial courts and justice partner stakeholders to access important information on trial court revenue distribution: SCO's Appendix C, upcoming & past training modules, and other related resources.

RELATED LINKS

- » [Revenue and Collections](#)
- » [2013 Training on Distribution of Revenues From Fines and Fees](#)
- » [State Controller's Office](#) 

WHAT ARE THE STEPS IF I HAVE A TRIAL COURT REVENUE DISTRIBUTION QUESTION?

Check the State Controller's Office Trial Courts Revenue Distribution Guidelines - Appendix C:

- [Revision #25 Appendix C - Distribution Tables - Legislation effective January 1, 2015](#)  
- [Summary of Changes for Trial Court Distribution Guidelines](#)   *New
- [Revision #24 Appendix C - Distribution Tables - Legislation effective March 24, 2014](#)  
- [Appendix C Survey](#)  

Check trial court revenue distribution resources:

- [Uniform Bail and Penalty Schedules](#)
- [Various Revenue Distribution Worksheets](#) 
- FAQs: Revenue Distribution Training
 - [2014 Training](#)  
 - [2013 Training](#)  
- [Crosswalk to Appendix C](#) 

This tool was developed to index the Appendix C to existing trial court revenue distribution resources, tying that distribution guide's code descriptions and associated violations to the current Uniform Bail and Penalty Schedule, JCC distribution worksheets, and FAQs.

Follow up with JCC Revenue and Collections Unit staff:

- By email: revenuedistribution@jud.ca.gov

Revenue Distribution Training Programs By Year:

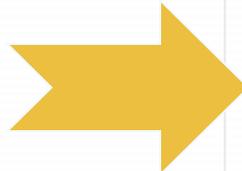
2015 2014 2013

2015 Revenue Distribution Training

May 8, 11-12 Training Materials

Morning Plenary Session Materials

- [Agenda](#) 



Audit and Distribution Issues

Issues found on recent audits and recent questions received include:

- Domestic violence fee effective 1-1-2014 went from \$400 to \$500. (PC 1203.097); Court required to provide a statement of reason on the record if it exercises discretion to reduce or waive the fee.
- Red light traffic school case – distributed the collections as a PC 1463.11 red light bail forfeiture instead of as a VC 42007.3 Red light traffic school.
- Fines are punitive and would be from the date of **violation** due to Ex Post Facto prohibitions, which means that the court cannot impose a more punitive fine (possibly at conviction date) than what existed at the time of the violation. This includes the State Restitution Fine per case law.
- Restitution fine is not subject to penalty assessments - PC1202.4(e) and see FAQ C 61.



Audit and Distribution Issues

- PC 1205.3 - when probation is granted for an offense, fines including restitution fines can be converted to community service but fees cannot be converted.
- Where a defendant may have multiple cases filed against him/her and the judicial officer decides to hear these cases concurrently because the violations were filed separately, the base fines should not be added before calculating the penalties. See FAQs.
- GC 76000.3 additional \$3 penalty on parking offenses (1-1-11)– determine whether the \$3 is already part of the distribution – if not, it comes out of the total collected as the State receives \$7.50.



Audit and Distribution Issues

- Distribution priorities:
 - State surcharge of 20% under PC 1465.7 is a PRIORITY 2
 - Red light bail forfeiture cases – PC 1463.11 30% allocation to the EMAT penalty assessment not applied



Audit and Distribution Issues

- 2% State Automation calculation and distribution
 - Assessed on all fines, penalties, and forfeitures
NOT ON FEES
 - VC 42007 converts the fines and penalties to a traffic violator school fee and the 2% is incorrectly calculated and distributed from the fines and penalties for traffic school cases, **except for child seat traffic school cases.**



Audit and Distribution Issues

Proof of Insurance: The statutory scheme

- Vehicle code § 16028 provides that all motorists must provide proof of insurance upon proper request by a peace officer or traffic collision investigator. Failure to comply is an infraction, generally punishable by a fine ranging between \$100 and \$500, plus penalty assessments. (Vehicle Code § 16029(a) and (b)).
- Fines and forfeitures imposed and collected by a court for crimes are required to be deposited initially with the county treasurer. (Penal Code §§ 1463, 1463.001) Of the monies deposited, the treasurer must place \$17.50 for each § 16028 vehicle code conviction in the special financial responsibility trust fund. (Penal Code § 1463.22(a))
- The trust fund is in effect a court trust account, as the money is to be held and later allocated back to the court to help defray any costs the court incurs in administering the Penal Code § 16028 financial responsibility program.
- To the extent the money held in the trust fund exceeds the amount required to defray the court's costs, the treasurer is to redeposit and distribute the money pursuant to Penal Code §1463.



Audit and Distribution Issues

Board of Supervisor Resolutions

- If you impose assessments that require a BOS resolution, make sure you have on file 'current' BOS resolutions that support the assessments.
- If BOS resolutions are missing, ask county for its resolutions to support court imposition of county assessments.



Audit and Distribution Issues

- Primary code sections include:

GC 76000 – Up to \$7 for every 10

GC 76100 Local Courthouse Construction

GC 76101 Local Criminal Justice Construction

GC 76104 EMS

GC 76104.5 DNA ID

GC 76102 Auto. Fingerprint

GC 76000.5 EMS Additional PA \$2 for every 10



Court Revenue Distribution Training

December 2015



Controller Betty T. Yee
California State Controller's Office

Common Audit Findings

- Issues regarding:
 - Distribution Priorities on Installment Payments
 - Parking Surcharges – Universities and Colleges
 - Maintenance of Effort Payments 50/50 Split



SCO Court Revenue Audits

Controller Betty T. Yee
California State Controller's Office

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- [Inyo County 04/2015](#)
- [Kings County 09/2015](#)

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http://www.sco.ca.gov/aud_court_revenues.html

Distribution Priorities

Incorrect distribution on installment payments using distribution priorities

- Feature added in Trial Court Revenue Distribution Guidelines (Appendix C), Rev. 25
- Dedicated page (C-7)
- Column in Tables 1-7



Table #5 - 2
Restitution Distributions

CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS
PC 93 — Restitution Fine; Bribes by Judicial Officers or Jurors	Restitution fine from a judicial officer or juror convicted of bribery. If no bribe was actually received, a fine of not less than \$2,000 or more than \$10,000. If a bribe was received, at least the amount of the bribe or \$2,000, whichever is greater, or a larger amount of not more than double the bribe or \$10,000, whichever is greater.	See PC 1202.4.	See PC 1202.4.	See PC 1202.4.	3
PC 294 (a) & (b) — Restitution Fine; Sexual Offenses	(a) PC 273a, 273d, 288.5, 311.2, 311.3, 647.6. (b) PC 261, 264.1, 285, 286, 288a, 289.	100% of fines to the State Restitution Fund (for transfer to the County Children's Trust Fund).	County Children's Trust Fund.	Child abuse prevention.	3
PC 422.1 — Restitution; Terrorist Threats	Convicted of violation of PC 148.1 or 11418.1, making a false terrorist threat as specified.	Any person, business, or government agency for costs related to the terrorist threat.	Not specified or not applicable.	To recover the costs of responding to the terrorist threat.	1
PC 484.1 — Pawnbrokers and Secondhand Dealers; Restitution	Person knowingly gives false information or provides false verification of the true identity or ownership interest of property sold to a pawnbroker or secondhand dealer.	Restitution to the pawnbroker or secondhand dealer to cover losses.	N/A	To recover losses under PC 1202.4.	1
PC 600.5 — Restitution; Injury or Death of a Guide, Signal, or Service Dog	Person who intentionally causes injury or death of any guide, signal, or service dog as defined by CC 54.1.	Restitution to the disabled person who has custody or ownership of the dog for any veterinary bills and replacement cost of the dog if it is disabled or killed.	N/A	To recover veterinary bills and replacement costs for disabled or dead guide dogs.	1
PC 1001.90 — Diversion Restitution Fee	In all felony and misdemeanor cases that are diverted, not less than \$100 or more than \$1,000.	100% to the State.	State Restitution Fund.	To provide assistance to victims of crime.	4

Priorities

1. Victim Restitution Orders
2. 20% State Surcharge
3. Fines, Penalty Assessments, and Restitution fines
4. Other reimbursable costs.

If you have any questions on a code's distribution priority, feel free to contact us at LocalGovPolicy@sco.ca.gov.



Parking Surcharges – Universities and Colleges

Public/Private Universities and Colleges are not remitting Parking Surcharges to the County

- By issuing and processing parking penalties via Article 3 of Division 7 of the Vehicle Code (VC 40200 – 40230), they are subject to transfer requirements of **GC 70372(b) and 76000(b)**.
- The term “**issuing agency**” is not defined by VC 40200 (Parking Violations), but the term is defined by VC 40250 (Toll Evasion Violations) as “any entity, public or private, authorized to collect tolls.” The Toll Evasion statutes substantially mirror the Parking Penalty statutes. For the purposes of VC 40200, an “**issuing agency**” is a public or private entity, authorized to collect parking penalties.
- Under the authority of **VC 21113**, public/private universities and colleges have adopted regulations governing the parking or standing of vehicles.



Maintenance of Effort Payments and the 50/50 Split

Maintenance of Effort (MOE) and 50/50 Split Payments distributed incorrectly

GC 77205 (a) requires counties to remit **50 percent of specified collections** that exceed the amount specified in **GC 77201.1 (b)(2) or GC 77205(c)** for that county to the State:

- **Specified Collections:** Specified fines, fees and forfeitures that are currently distributed to the County General Fund that would have been distributed to the State General Fund on **December 31, 1997**.
- **County Split Amounts:** Pursuant to GC 77201.3(a), commencing with the 2006-2007 fiscal year and each fiscal year thereafter, the base amounts used for the 50 percent excess revenue distribution calculation are the amounts specified under **GC 77201.1(b)(2)**. **For some counties, GC 77205(c)**.

Specified collections include:

- **PC 1463.001** – 75% of base fines and forfeitures (non-parking), including county portion of city arrests
- **PC 1464** – State Penalty
- **VC 42007** – Traffic Violator School Fee
- **VC 42007.1** – Additional Traffic Violator School Fee
- **GC 27361 (b)** – Recording and Indexing Fee
- **PC 1463.07 *Formerly GC 29550 (f)** – Administrative Screening/Citation Fee
- **GC 76000 (c)** – County General Fund portion of county parking penalty
- **VC 42008** – Amnesty Fees (100% of funds that would have been remitted 12/31/1997)



Maintenance of Effort Payments and the 50/50 Split

Maintenance of Effort (MOE) and 50/50 Split Payments distributed incorrectly

The following counties shall make their split when the specified revenues exceed the following amounts (examples):

Placer		\$	1,554,677
Riverside		\$	11,028,078
San Joaquin		\$	3,694,810
San Mateo		\$	5,304,995
Ventura		\$	4,637,294

After the county's GC 77201.1 (b)(2) or GC 77205(c) amount has been reached, the excess revenues will be split 50/50 between the State and the County.

50 percent of the total specified collections in excess of the limit stated in GC 77201.1(b)(2) or GC 77205(c) should be remitted to the State Trial Court Improvement and Modernization Fund, and **50 percent** of the excess to the County General Fund.



Maintenance of Effort Payments and the 50/50 Split

Maintenance of Effort (MOE) and 50/50 Split Payments distributed incorrectly

Please Note: Quarterly MOE payments should be made based off of GC 77201.3, and the **50/50 split payments** should be based off of GC 77201(b)(2), or GC 77205(a) depending on the county.

MOE payments are taken from the specified revenues. Otherwise, the county has to pay the difference from its General Fund.

The GC 77205(a) payment is due to the state **45 days after the end of the fiscal year (August 15)**. If remittances are received after the due date, delinquent penalties will be calculated pursuant to GC 68085.

The amounts determined from the calculations should be totaled for the entire fiscal year.

The county should make the calculation consistently either based on:

- Accrual basis
- Cash basis



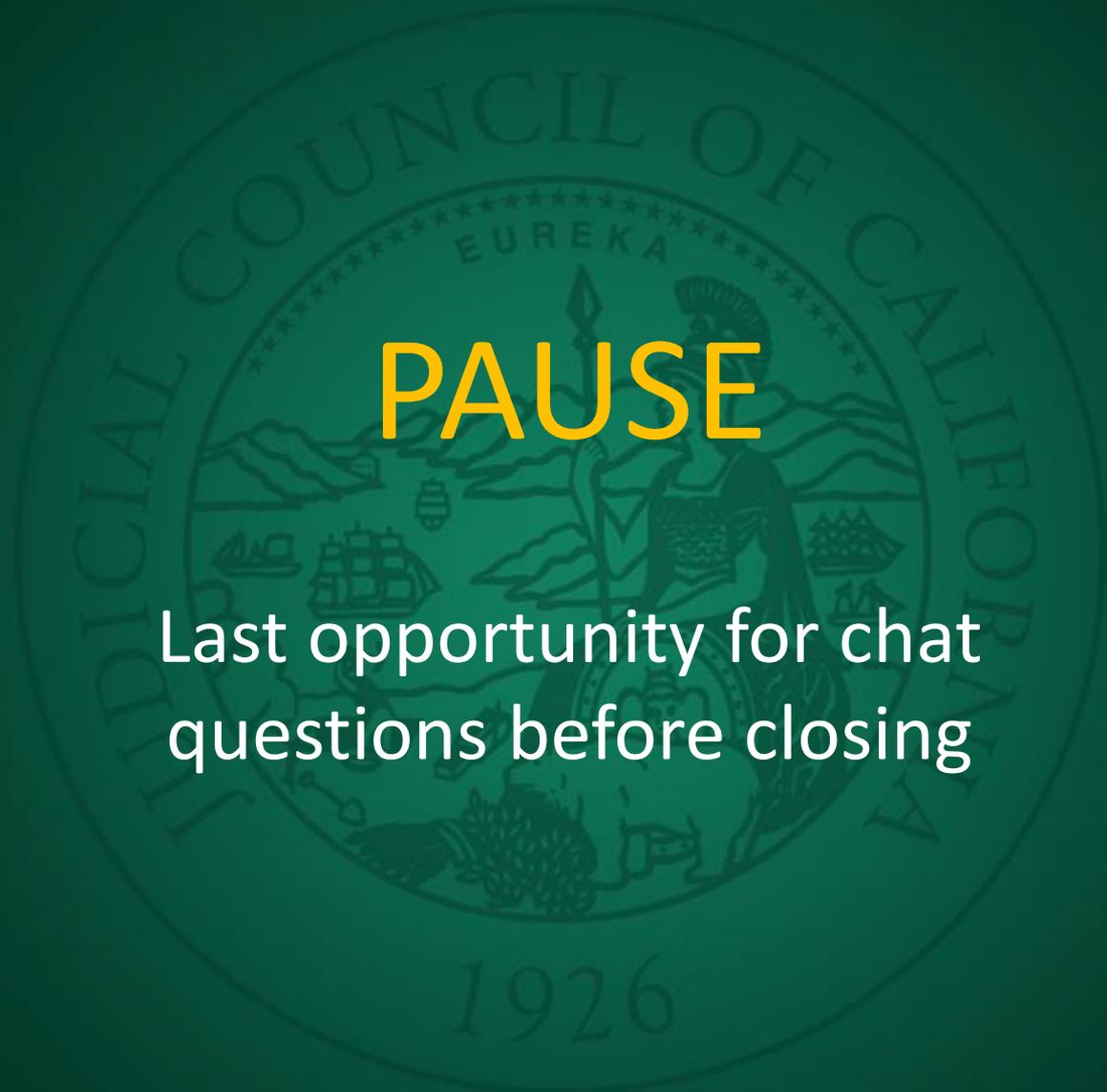
Conclusion

Trial Court Revenue Distribution Guidelines

- Michael Gungon, Fiscal Analyst
- Don Lowrie, Fiscal Analyst

If you have any questions, please email
LocalGovPolicy@sco.ca.gov.



The background of the slide features a large, faint, circular seal of the Judicial Council of California. The seal contains the text "JUDICIAL COUNCIL OF CALIFORNIA" around the top edge and "1926" at the bottom. In the center, there is a figure holding a scale and a sword, with the word "EUREKA" above it. The seal is rendered in a light green color that blends with the dark green background.

PAUSE

Last opportunity for chat
questions before closing



CLOSING

4th Annual Revenue Distribution Training

- May 2016
- In-person, multiple locations
- Plenary session, breakout groups
- What do you want to see?
Send suggestions to
RevenueDistribution@jud.ca.gov.



Steps to follow if you have distribution questions

1. Review statute.
2. Review *Trial Court Revenue Distribution Guidelines*
3. Review the Uniform Bail and Penalty Schedule.
4. Review FAQs to check if question has already been posed and answered.
5. If answer not found, submit question(s) to SCO or Judicial Council email boxes at:

LocalGovPolicy@sco.ca.gov - RevenueDistribution@jud.ca.gov



JUDICIAL COUNCIL
OF CALIFORNIA

Other Resources & Links

SCO Revenue Distribution Home Page

http://www.sco.ca.gov/ard_trialcourt_manual_guidelines.html

Trial Court Revenue Distribution Guidelines, Revision 25 (current revision)

http://www.sco.ca.gov/Files-ARD-Local/Appendix_C_Rev_25.pdf

Revision #25 – Urgency Legislation Addendum Distribution Tables effective September 28, 2015

http://www.sco.ca.gov/Files-ARD-Local/Appendix_C_Rev_25_Addendum.pdf

Updated TC-31 Form

http://www.sco.ca.gov/Files-ARD-Local/LocRep/Remittc_tc31.xlsx

Revenue Distribution FAQs (July 2014 Training)

http://www.sco.ca.gov/Files-ARD-Local/Revenue_Distribution_FAQ_July_9_2014_Training.pdf

Listserv Notification Sign-Up

http://www.sco.ca.gov/ard_trial_courts_notification_email.html

Amnesty FAQs

<http://www.courts.ca.gov/partners/documents/rc-amnesty2015-FAQs.pdf>



CHAT QUESTIONS RECEIVED TODAY

- BURBANK
- SAN FRANCISCO
- SACRAMENTO



Final Comments

- Training evaluations to RevenueDistribution@jud.ca.gov
- Request training certificate at RevenueDistribution@jud.ca.gov.
- PowerPoint posted on Friday, December 11 at <http://www.courts.ca.gov/revenue-distribution.htm>
- Expect email notification when recording of training and materials posted at <http://www.courts.ca.gov/revenue-distribution.htm>.



The End

Thank you!

